

Published by Municipal Code Corporation

Grand Junction, Colorado

October 4, 1972

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P.M. October 4, 1972, in the Civic Auditorium at City Hall. Present for roll call were President of the Council Stanley Anderson and Councilmen Harry Colescott, Silas Grantham, Lawrence Kozisek, Theodore Naff, Raymond Paruch, and Richard Youngerman. Also present were City Attorney Gerald J. Ashby, City Manager Richard Gray, and City Clerk Neva Lockhart.

MINUTES

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the minutes of the regular Council meeting held on September 20, 1972, be approved as written. Motion carried.

HEARING

Rezoning Block 5 E. Main Addn to R-2

Prop. Ord.

Continued from the September 20, 1972, City Council meeting was the hearing on the rezoning of Block 5, East Main addition. Mr. Clarence Anderson, Developer-Contractor, was present. Mr. Anderson advised Council that the financing for this project has been worked out, and they should start construction in two months. A local management firm will handle the renting, complaints, and other problems locally, but they will be under the supervision of the Ross Management Company, FHA, and Mr. Anderson of Denver. The proposed plan for 75 units will consist of the following: 15 one-bedroom apartments with 535 square feet of floor space renting for \$95.62 per month; 38 two-bedroom apartments with 668 square feet of floor space renting for \$115.31 per month; 15 three-bedroom apartments with one and one-half baths and containing 900 square feet of floor space renting for \$135.00 per month; and 7 four-bedroom apartments, one and one-half baths, with 1,008 square feet of floor space renting for \$151.89 per month. The monthly rental charge includes all utilities except telephone and includes stove, refrigerator, and off-street parking. The plans call for ample green area with fenced-in playground space for children.

Councilman Paruch said the consensus of the Planning Commission was that the rezoning of this block would be an up-grading from its present zoning. He noted that whatever is planned for this area is going to be regulated by the planned unit development; therefore, the Planning Commission unanimously recommended the rezoning. There being no others present who spoke for or against

the rezoning, the President closed the hearing.

The following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Kozisek and seconded by Councilman Paruch that the proposed ordinance be passed for publication. Motion carried unanimously.

HEARING

Liquor license Galley Restaurant 929 Main St.

This was the date advertised for hearing upon the application of John Phillip Ashton, II, President, for a hotel-restaurant liquor license to be used in connection with The Galley Restaurant at 929 Main Street. Mr. Kelly Summers, Attorney and Secretary of the Corporation, appeared before the Council. He reported that Mr. John Ashton, II, and Mr. Renee de Best, Manager of the Restaurant has negotiated the purchase of the properties at 919 Main Street, to be used for off-street parking, and 929 Main Street, to be remodeled to house the restaurant, for \$27,500. Mr. Ashton and Mr. de Best have operated the Gallery Restaurant in Steamboat Springs for the last few years. They felt there was a need in Grand Junction for this type restaurant specializing in gourmet food and the old victorian home at 929 Main would add to the atmosphere of their operation. After checking with the Building Department to determine what was necessary to bring the building up to code and ascertaining that the area was zoned properly, they completed the transaction in mid-September for the properties. Mr. de Best will be completely in charge of the restaurant. The serving of liquor will be a complement to the continental cuisine.

Mr. Tom LaDuke and Mr. Ray Beckner both stated that they feel the gourmet type food has been neglected in Grand Junction. Both gentlemen were familiar with The Gallery in Steamboat Springs, and they felt the downtown area of Grand Junction would benefit from this type operation.

Mr. Bob Gardner, Architect, presented the plans for the interior of the restaurant and for the parking lot. Thirty to thirty-five people can be seated comfortably in the restaurant, and twenty spaces for parking will be provided in the parking lot with a fence along the west side of the parking lot property.

A letter from Chief of Police Karl M. Johnson advised that he had made the usual inquiry concerning the applicants and that he had found no information which would indicate they are not qualified for this type of license.

Mr. Joe Willoughby, owner of the property to the east at 935 Main Street, said that when he and his wife first heard about the proposed restaurant with the liquor license, they were very

concerned and signed the petition which was circulated against the license. After learning more about the type operation planned at 925 Main, however, they decided it would be good for the neighborhood. He requested that his name and that of his wife be stricken from the petition.

Mr. Bill Anderies of Management and Planning, Inc., presented the petitions that were circulated in favor of the license. There were 265 signers (4 had signed both petitions and 33 were from outside the neighborhood leaving a total of 228).

A petition against the ``issuing of a liquor license to `The Galley Restaurant, Inc.,' at 929 Main Street, this being in the center of apartment houses and residential area'' was presented which had 203 signers (53 of which reside outside the neighborhood and 4 who signed both petitions, leaving a total of 146).

Mr. Harry Coff, 951 Main Street, asked if the applicants were planning to operate a hotel in conjunction with the restaurant. The applicants explained that they do not plan a hotel, this is the type of license they had to apply for. They noted that at some future date the second floor of the building may be remodeled for a banquet room so that a group of 20 could have private business meetings with their dinner. Mr. Coff requested that his name be stricken from the petition which was circulated against the issuance of the license.

Mr. Gale Alley, 961 Main Street, said that a little over a week ago when the neighbors called the Fire Department, a group of 20 young people came out of the old Hightower house. He asked if they were going to be allowed to continue living in the house. Mr. Summers explained that the purchase of the property was finalized on September 14, and the young people were told they would have to be out of the house by October 1.

Mr. Ervin Branson, 913 Main Street, felt there would not be room on the 25 foot lot for parking. He was concerned that patrons would start parking in front of the other residences along the street. He was shown the plans for the parking lot.

The President closed the hearing.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the application be approved and that the license be issued when the State license has been received. Motion carried with Councilman Paruch voting NO.

AWARD OF CONTRACT

2600 ft of 16" pipeline & Appurtenances, Reeder Mesa Bookcliff Const. \$41,815 - low

At 2:00 P.M. September 28, bids were received for the installation of 2600 feet of 16-inch pipeline and appurtenances for

modification to the Kannah Creek Flow Line. The bids were as follows:

Bookcliff Construction Co. Grand Jct. \$41,815.00		
Grand Construction Co. Littleton, Colo. 42,953.00		
Scheierman Construction Co. Inc. Montrose, Colo. 49,571.90		
Leach & Arnold Engr. & Const. Co. Boulder, Colo. 52,367.20		
Burks & Co. Inc. Englewood, Colo. 61,089.00		
Earle C. Kipp, Contractor Grand Jct., Colo. 59,572.00		
Engineer's Estimate 52,834.00		

Henningson, Durham & Richardson, Inc. consulting engineers and City Manager Gray recommended award of the contract to the low bidder, Bookcliff Construction Company of Grand Junction. Mr. Gray noted that the materials for this project have already been purchased (Council Minutes July 19, 1972).

It was moved by Councilman Colescott and seconded by Councilman Youngerman that the installation contract be awarded to Bookcliff Construction Company for their low bid of \$41,815.00. Motion carried unanimously.

AWARD OF CONTRACT

Reconstruction of alleys

Elam - \$12,116.75

At 2:00 P.M. Tuesday, September 26, bids were received and opened for the reconstruction of alleys. One bid was received:

Elam Construction, Inc. \$12,116.75
Engineer's Estimate 12,054.25

Completion date for this contract is on or before November 10.

It was moved by Councilman Youngerman and seconded by Councilman Grantham that the contract for the Reconstruction of Alleys be awarded to Elam Construction, Inc. for their bid of \$12,116.75. Motion carried.

WESTERN COLO. COMMUNITY ACTION COUNCIL

Clmn Kozisek apptd to Advisory Bd

A letter from Mesa County Budget Officer Ted Ford was read in which he outlined the reorganization of the Community Action Agency in Mesa County. Three members of the Board will be elected as representatives of the poor. Under OEO guidelines three members of the Board must be elected government officials. The Commissioners have the right to designate the areas of representation for these three and they have decided that a Mesa County Commissioner, a Grand Junction City Councilman, and a Fruita Town Council member should be representatives on this Board. After this six-member Board is formed, its members will then determine the three remaining members of the Board. The Commissioners unanimously agreed that a Grand Junction City Councilman should serve on the Board and recommended the consideration of Councilman Lawrence Kozisek as he has served on the present Community Action Council Board and has made some valuable contributions in the last few months.

It was moved by Councilman Youngerman and seconded by Councilman Paruch that Councilman Lawrence Kozisek be appointed to the Community Board. Motion carried unanimously.

L.P. AUDITORIUM

Request by Museum to waive \$25 feet denied

Mrs. Mildred Young, representing the Museum, appeared before the Council to request waiver of the \$25 a day fee for the Lincoln Park Auditorium on October 20 and 21 for a Museum Benefit Show. Councilman Colescott said that he felt the Council would be setting a precedent by waiving the fee for this group. Other Council members agreed and the request was denied.

3.2 BEER RENEWAL

Skaggs Drug Centers, Inc. 1834 N 12th

An application by Skaggs Drug Centers, Inc., 1834 North 12th Street, for the renewal of 3.2 beer license was presented. A letter from Chief of Police Karl Johnson advised that there have been no complaints nor violations concerning the sale of 3.2 beer at this establishment.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the application be approved and the license issued when the State license has been received. Motion carried with Councilman Paruch and President Anderson voting NO.

PLANNING COM.

Betty Russell & Richard Stranger resign

Letters of resignation from the City Planning Commission were read from Mrs. Betty Russell and Mr. Richard Stranger. Mrs. Russell advised that her parents are elderly and in need of care so she is moving from this area to be near her parents. Mr. Stranger has sold his home on White Avenue and will now be living on Orchard Mesa.

It was moved by Councilman Colescott and seconded by Councilman Kozisek that the resignations be accepted with regret, and directed that letters of thanks be sent to Mrs. Russell and Mr. Stranger for their work on the City Planning Commission. Motion carried.

President Anderson asked that Council recommend some replacements.

VOTERS INFO BOOTH

Permission grtd League of Women Voters to put at 5th & Main for 2 wks fr Oct. 23

A letter from Mrs. Louise Boyes, Voters Service Chairman, was read in which she requested permission for the League of Women Voters to place an information booth at 5th and Main in front of the First National Bank Building starting October 23 and continuing for a period of two weeks.

It was moved by Councilman Grantham and seconded by Councilman Kozisek that the League of Women Voters be granted permission to

set up the informational booth at 5th and Main starting October 23. Motion carried unanimously.

LAW SUIT

Claim Jas. R. Briscoe vs City rfd to ins. agt.

A letter from Mr. James R. Briscoe was read in which he asserted a claim against the City on behalf of Richard James Briscoe. Mr. Ashby advised that a copy of this letter has been filed with the City's insurance carrier.

CITY MANAGER GRAY

Resigns 10-31-72

Harvey M. Rose interim City Mgr

The resignation letter from City Manager Richard N. Gray dated September 27, 1972, was read. Mr. Gray is resigning his position with the City of Grand Junction to accept employment as City Manager in Norman, Oklahoma, effective October 31, 1972. Mr. Gray said the six years he and his family have spent in Grand Junction have been enjoyable, rewarding years.

It was moved by Councilman Kozisek and seconded by Councilman Youngerman that the resignation of City Manager Richard N. Gray be accepted. Motion carried.

It was moved by Councilman Kozisek and seconded by Councilman Youngerman that effective November 1 Assistant City Manager Harvey M. Rose be appointed the Acting City Manager for the interim period until a new City Manager is hired. Motion carried with Councilman Paruch abstaining from voting.

ELECTION DISTRICTS

Resolution changing boundaries

The following Resolution was introduced and read:

RESOLUTION

CHANGING THE BOUNDARIES OF ELECTION DISTRICTS WITHIN THE CITY OF GRAND JUNCTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

THAT the boundaries of the election districts within the City of Grand Junction be changed so that:

DISTRICT A shall contain and include all that portion of the City of Grand Junction lying south of Grand Avenue.

DISTRICT B shall contain and include all that portion of the City of Grand Junction lying north of Grand Avenue and west of the following described line:

commencing at Grand Avenue and North Fifth Street; thence north along North Fifth Street to Teller Avenue; thence east along Teller Avenue to North Seventh Street; thence north along North Seventh Street to northernmost city limits.

DISTRICT C shall contain and include all that portion of the City of Grand Junction lying north of North Avenue and east of the following described line:

commencing at North Twelfth Street and North Avenue; thence north along North Twelfth Street to Walnut Avenue; thence east along Walnut Avenue to Fifteenth Street; thence north along Fifteenth Street as extended to northernmost city limits; and lying west of the following described line: commencing at Nineteenth Street and North Avenue; thence north along Nineteenth Street to Elm Avenue; thence east along Elm Avenue to 28 1/4 Road; thence north on 28 1/4 Road extended.

DISTRICT D shall contain and include all that portion of the City of Grand Junction lying north of North Avenue and east of the following described line:

commencing at Grand Avenue and North Fifth Street; thence north along North Fifth Street to Teller Avenue; thence east along Teller Avenue to North Seventh Street; thence north along North Seventh Street extended to city limits; and lying west of the following described line: commencing at North Twelfth Street and Grand Avenue; thence north along North Twelfth Street to Walnut Avenue; thence east along Walnut Avenue to Fifteenth Street; thence north along Fifteenth Street to northernmost city limits.

DISTRICT E shall contain and include all that portion of the City of Grand Junction lying north of Grand Avenue and east of the following described line: commencing at North Twelfth Street and Grand Avenue; thence north along North Twelfth Street to North Avenue; thence east along North Avenue to Nineteenth Street; thence north along Nineteenth Street to Elm Avenue; thence east along Elm Avenue to 28 1/4 Road; thence north on 28 1/4 Road extended.

Annexations lying within the boundaries as extended will be considered as being included within a particular district.

PASSED and ADOPTED this 4th day of October, 1972.

Stanley R. Anderson \President of the Council

ATTEST:

\City Clerk

It was moved by Councilman Youngerman and seconded by Councilman Grantham that the Resolution be passed and adopted as read. Roll was called upon the motion with all members of the Council voting AYE. The President declared the motion carried and the Resolution duly passed and adopted.

FLOW LINE TAP

Denied Jim Holton

Moratorium Imposed

City Manager Gray said that recently Mr. & Mrs. Jim Holton approached the City with a request to tap on to the City flow line. They are interested in some property north of Whitewater and the property would be more attractive if they could be assured of the water. City Manager Gray read the following memorandum from Utility Plants Superintendent James Patterson, City Engineer Davis Hickman and Water Supply Superintendent Al Wing.

``CITY OF GRAND JUNCTION, COLORADO
MEMORANDUM

October 4, 1972

To: Richard N. Gray
City Manager

From: Jim Patterson, David Hickman & Al Wing

``The transmission mains that bring raw water from the Municipal watershed to the City of Grand Junction water filtration plant pass through a sparsely populated area that does not have any other source of "piped" water. In the past, as a favor to a few people who wanted to live in that area and enjoy the benefit of "piped" water, the City entered into agreements with those people that allowed them to buy water from the pipeline, with the understanding that it was not fully treated water, and that service could be interrupted at any time.

``As more people are allowed to buy water from this pipe line, the City begins to approach the point where it is no longer offering a special service to a few, but is developing a second distribution system. The biggest fault in that is that the second system is delivering water that does not meet the physical, chemical, health, and aesthetic standards that the first system does.

In the last few years much attention has been given to the environment and the closely related fields of wastewater treatment

and water purification and distribution. The day has come when informal or sub-standard water systems will not be tolerated. We think there are many small water systems, both private and public, that will vouch for that. There has been a bill before Congress that would make all water systems subject to controls set up by the E.P.A. This law would include aesthetic standards as well as health standards. In our opinion, the City would be in violation of such a law if it sells the raw water from the flow lines. Incidentally, that law carried fines of \$10,000 per day and/or imprisonment for violations of the health standards.

``It is our opinion that if the City continues to develop the use of the raw water from the transmission lines, that a point will be reached when the City will lose complete control of the services, and the people being served can demand such improvements as fire hydrants and minimum velocity and volume flows. Even last year the City found itself in the position of wasting up to 700,000 gallons of water per day to the Gunnison River in order to provide "adequate" pressure to a very few services.

``If the City decides to continue to add services to the raw water flow lines, we believe the following improvements will have to be faced in the near future:

1. Additional treatment at the intake including coagulation and sedimentation and/or filtration.
2. Better disinfection
3. Additional personnel
4. Additional maintenance and improvements to the flow lines
5. Emergency and stand-by equipment
6. Additional analytical tests and records

``SUMMARY:

The flow lines carry raw water that does not always meet the minimum standards set by the U.S. Public Health Service. It is our opinion that the City should not allow any additional services on the raw water flow lines. We also question the City's assumed lack of liability toward those persons who purchase raw water for consumption, regardless of any agreement that they have with the City.''

/s/ James E. Patterson
Utility Plts Supt.

/s/ Davis C. Hickman
City Engineer

/s/ Al Wing
Water Supply Supt.

Mr. Gray said he feels the time has arrived when the City must put a moratorium on additional taps to the flow line.

It was moved by Councilman Colescott and seconded by Councilman Naff that the Staff be instructed to not grant any more taps to the City flow line and that all future requests must be referred to the Council. Motion carried.

SEWER

Bid specs for high powered sewer jet cleaning truck authorized

A letter from Mr. James O. Havens, Training Officer for the Director of the Water Pollution Control Division of the State Health Department, was read. Mr. Havens noted that during his recent inspection of the City's Water Pollution Control Plant and collection system with City Engineer Hickman, he found poor construction and almost no grade in the sewer mains to speak of, causing the sewage to have a low velocity which means that the solids are settling out causing large deposits throughout the system resulting in septic sewage. When there is a heavy flow, some of this material is washing into the plant causing heavy odors to emit around the plant area. He continued that as it would be physically and economically unfeasible to rebuild the miles of sewer lines the City has, he would recommend the purchase of a high-powered sewer jet cleaning truck. He outlined the procedures for the use of the truck by first cleaning all existing lines, then setting up a pre-maintenance program that would first clean the lines that cause the most trouble, and then clean the other existing lines on yearly basis.

Mr. Havens noted also that by stopping the scavenger trucks from dumping their septic waste at the head of the Plant, it would eliminate some of the odors. He said the trucks should discharge wastes at a point in the collection system where mixing of the wastes with other sewage is such to minimize odors at the Plant. In cleaning the lines, there will be some initial shock to the Sewage Treatment Plant because of the heavy buildup in the lines, but as the septic solids are depleted from the system, the Plant will balance out and almost all odors should be gone.

It was moved by Councilman Youngerman and seconded by Councilman Kozisek that the City Manager authorize the Purchasing Agent to get the specifications drawn for the high-powered sewer jet cleaning truck preparatory for bids before the end of the year. Motion carried unanimously.

It was suggested that this truck be utilized 6 days a week, 10 hours a day until the operation is smoothed out. The Staff did not think it would be necessary to budget for more crewmen to man the truck.

GENERAL DISCUSSION

Councilman Paruch commented first about the Galley Restaurant. He said he was in favor of the restaurant; his "no" vote was against the issuance of the liquor license.

His second comment was in regard to his abstaining from voting on the Acting City Manager. He noted this was no reflection on Mr. Rose, but rather that he felt there should have been some discussion of other staff candidates before naming the interim Acting City Manager.

President Anderson announced that the Council members have been invited by Mr. Bob Collins of KSTR for a closed-circuit discussion of Revenue Sharing by Mr. Luger and Mr. Massell, National League of Cities, at 1:35 P.M. October 13.

Councilman Colescott asked about Comtronics Cable TV's proposed rate increase. City Attorney Ashby said that Cable TV is not under PUC, so they can raise their rates.

President Anderson read a letter from the United States Department of Agriculture which advised that planning assistance has been authorized by the USDA for the Colorado River Valley Resources Conservation and Development Project. The authorization to provide the assistance was dated September 19, 1972. The USDA standards ready to provide assistance in developing the project plan which will result in an action program to help local people to further develop and utilize the resources of this area.

ADJOURNMENT

It was moved by Councilman Colescott and duly seconded that the meeting be adjourned. Motion carried.

\Neva B. Lockhart
City Clerk